

In the Matter of	)	File No.: EB-02-LA-117
	)	NAL/Acct. No. 200232900004
El Dorado 900, LLC	)	FRN 0006-7923-03
	)	
Antenna Structure Registration Number 1041257	)	
City of Industry, California	)	
	)	

**Released: December 12, 2002**

1. In this *Forfeiture Order* (“*Order*”), we issue a monetary forfeiture in the amount of fifteen thousand dollars (\$15,000) to El Dorado 900, LLC (“El Dorado”), owner of Antenna Structure Registration # 1041257, in City of Industry, California, for willful violation of Section 303(q) of the Communications Act of 1934, as amended (“Act”),<sup>1</sup> and Sections 17.23, 17.47(a), 17.48(a), 17.56, and 17.57 of the Commission’s Rules (“Rules”).<sup>2</sup> The noted violations involve: (1) failure to maintain required lighting on the antenna structure; (2) failure to make an observation of the antenna structure’s lights at least once each 24 hours either visually or by observing an automatic properly maintained indicator designed to register any failure of such lights; (3) failure to notify the FAA of any observed or otherwise known extinguishment or improper functioning of any top steady burning light or any flashing obstruction light, regardless of its position on the antenna structure, not corrected within 30 minutes; (4) failure to replace or repair lights as soon as practicable; and (5) failure to properly notify the FCC of a change in ownership of the antenna structure.

2. On June 28, 2002, the District Director of the Commission's Los Angeles, California Field Office ("Los Angeles Office") issued a *Notice of Apparent Liability for Forfeiture* ("NAL")<sup>3</sup> in the amount of \$15,000. El Dorado has not filed a response to the *NAL*. Based on the information before us, we affirm the forfeiture.

3. **ACCORDINGLY, IT IS ORDERED THAT**, pursuant to Section 503(b) of the Act,<sup>4</sup> and Sections 0.111, 0.311 and 1.80(f)(4) of the Rules,<sup>5</sup> El Dorado **IS LIABLE FOR A MONETARY FORFEITURE** in the amount of \$15,000 for willfully violating Section 303(q) of the Act and Sections 17.23, 17.47(a), 17.48(a), 17.56, and 17.57 of the Rules.

<sup>1</sup> 47 U.S.C. § 303(q).

<sup>2</sup> 47 C.F.R. §§ 17.23, 17.47(a), 17.48(a), 17.56, and 17.57.

<sup>3</sup> *Notice of Apparent Liability for Forfeiture*, NAL/Acct. No. 200232900004 (Enf. Bur., Los Angeles Office, released June 28, 2002).

<sup>4</sup> 47 U.S.C. § 503(b).

<sup>5</sup> 47 C.F.R. §§ 0.111, 0.311, 1.80(f)(4).

4. Payment of the forfeiture shall be made in the manner provided for in Section 1.80 of the Rules<sup>6</sup> within 30 days of the release of this *Order*. If the forfeiture is not paid within the period specified, the case may be referred to the Department of Justice for collection pursuant to Section 504(a) of the Act.<sup>7</sup> Payment shall be made by mailing a check or similar instrument, payable to the order of the "Federal Communications Commission," to the Federal Communications Commission, P.O. Box 73482, Chicago, Illinois 60673-7482. The payment should note NAL/Acct. No. 200232900004, and FRN 0006-7923-03. Requests for full payment under an installment plan should be sent to: Chief, Revenue and Receivables Operations Group, 445 12th Street, S.W., Washington, D.C. 20554.<sup>8</sup>

5. **IT IS FURTHER ORDERED THAT** this *Order* shall be sent by regular mail and by certified mail, return receipt requested, to El Dorado 900, LLC, 1980 Post Oak Boulevard, Suite 1500, Houston, TX 77056 and to its counsel, Lawrence Roberts, Esq., Skadden, Arps, Slate, Meagher & Flom, LLP, 1440 New York Avenue, N.W., Washington, DC 20005-2111.

**FEDERAL COMMUNICATIONS COMMISSION**

David H. Solomon  
Chief, Enforcement Bureau

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<sup>6</sup> 47 C.F.R. § 1.80.

<sup>7</sup> 47 U.S.C. § 504(a).

<sup>8</sup> See 47 C.F.R. § 1.1914.